

1 **Sean C. Chapman**
2 **Law Office of Sean C. Chapman, P.C.**
3 100 North Stone Avenue, Suite 701
4 Tucson, Arizona 85701
5 Telephone: (520) 622-0747
6 Fax: (520) 628-7861
7 Arizona State Bar No. 012088
8 Attorney for Jesus Arellano
9 Sean@seanchapmanlaw.com

7 IN THE UNITED STATES DISTRICT COURT

8 FOR THE DISTRICT OF ARIZONA

9 UNITED STATES OF AMERICA,) 4:16-cr-01749-RM-1
10 Plaintiff,)
11 v.) **OBEJCTION TO PRESENTENCE**
12 Jesus Gonzalez Arellano,) **INVESTIGATION REPORT**
13 Defendant.)
14 _____

15
16 COMES NOW the Defendant, Jesus Arellano, by and through his undersigned
17 counsel, and hereby submits this his response/objection to paragraphs 55 and 60 of the
18 Presentence Investigation Report (“PSR”)
19

20 I. RESPONSE/OBJECTION TO PARAGRAPH 55

21 The presentence writer writes in Paragraph 55 that Mr. Arellano did not
22 complete financial paperwork outlining his current earnings , debts, monthly expenses
23 and other documentation to support his claims regarding his financial status. This
24 statement is incorrect. Mr. Arellano filled out and completed a lengthy financial report
25 and provided a great deal of records including tax returns, bank records and other
26

1 information regarding his job, financial condition and background. Mr. Arellano (and
2 his attorney) also informed the presentence writer that he had been supporting himself
3 since the filing of charges in this case by borrowing from his federal retirement savings
4 plan ("T.S.P.").

5
6 II. RESPONSE/OBJECTION TO PARAGRAPH 60

7 The presentence writer writes in Paragraph 60 that the source of the funds used to
8 hire undersigned counsel is "unknown." However, the presentence writer was informed
9 by undersigned counsel that Mr. Arellano borrowed from his T.S.P. to hire counsel.
10

11 To the extent, therefore, that the presentence writer intends to suggest that Mr.
12 Arellano has some undisclosed (and nefarious) source of income, he is simply incorrect.
13 Mr. Arellano suffers from depression and PTSD as a result of the charges in this case.
14 He has also been financially devastated by the indictment in this matter. He has done
15 his level best to provide the presentence writer with all the information that he
16 requested. (Counsel will note that he and his secretary have had multiple interactions
17 with the presentence writer and Mr. Arellano to facilitate the disclosure of as much
18 financial information as possible.)
19
20

21
22 Respectfully submitted this 23rd day of February, 2019.

23 LAW OFFICES OF SEAN CHAPMAN, P.C.

24 BY: /s/ Sean Chapman
25 Sean Chapman
26

CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2019, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Hon. Rosemary Marquez
United States District Court

Gordon Davenport
Assistant United States Attorney